

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
AT LAW AND IN ADMIRALTY

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 18-CV-1195

APPROXIMATELY \$177,566.32 IN UNITED  
STATES CURRENCY FROM U.S. BANK  
ACCOUNTY ENDING IN 6229,

Defendant.

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**CLAIM OF NEWTEK SMALL BUSINESS FINANCE, LLC**

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To: Clerk – United States District Court for  
the Eastern District of Wisconsin  
517 East Wisconsin Ave., Room 362  
Milwaukee, WI 53202

Assistance US Attorney Scott Campbell  
United States Attorney's Office  
517 East Wisconsin Ave., Room 530  
Milwaukee, WI 53202

Newtek Small Business Finance, LLC ("Newtek") by its attorneys, Kohner, Mann & Kailas, S.C., hereby submits its claim to the Defendant property, approximately \$177,566.32 in United States Currency from U.S. Bank Account ending in 6229 (the "Property") pursuant to Rule G(5)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. In further support of this claim, Newtek states as follows:

1. The property claimed by Newtek is the Property.
2. Newtek's interest in the Property is based upon Newtek's contract with Qicbid, LLC ("Qicbid") to auction vehicles on Newtek's behalf, which vehicles had been recovered from

a borrower on a defaulted loan, due to a court judgment and liens Newtek held on the vehicles. Qicbid and its principal, Mr. Schaetzel, took possession of the vehicles, conducted the auction, and then fraudulently failed to report the results of the auction or deliver any of the proceeds realized to Newtek. Newtek believes it has a valid, good faith, and legally recognizable interest in the Property because it is proceeds of the auction of the vehicles repossessed from its borrower, which Qicbid and Mr. Schaetzel, as a Wisconsin licensed auctioneer, held in trust and/or as an agent of Newtek.

3. Newtek reserves all rights and claims as the victim of the alleged conduct set forth in the Complaint in this action, and further reserves all other rights and civil claims that it may have relating to the facts and circumstances described in the Complaint and herein.

4. Newtek will file an answer to the verified Complaint in this matter in a timely fashion.

Dated: September 6, 2018.

KOHNER, MANN & KAILAS, S.C.  
Attorneys for Newtek Small Business Finance, LLC

By: /s/ Samuel C. Wisotzkey  
Samuel C. Wisotzkey  
Attorney No. 1029537

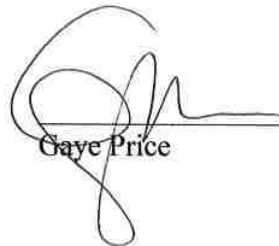
Post Office Address:  
Washington Building  
4650 North Port Washington Road  
Milwaukee, WI 53212  
Telephone: (414) 962-5110  
Facsimile: (414) 962-8725

**VERIFICATION**

STATE OF TENNESSEE  
COUNTY OF Wilson

Gaye Price, being first duly sworn on oath, deposes and states that:

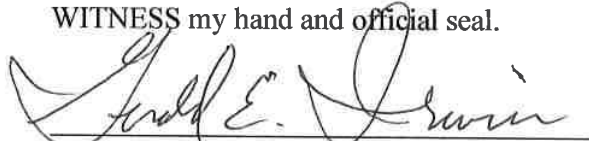
1. I am a Vice President with Newtek Small Business Finance, LLC.
2. I have reviewed the foregoing claim and found that the contents are accurate to the best of my knowledge, information and belief.
3. I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Gaye Price

STATE OF TENNESSEE    )  
  ) SS.  
COUNTY OF WILSON    )

On this 5<sup>th</sup> day of SEPT, 2018, before me, the undersigned notary public, personally appeared Gaye Price, personally known to me to be the person whose name is signed above, and acknowledged to me that she signed it voluntarily for its stated purpose.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Notary Public

[seal]

